

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

SOTERO SANCHEZ : CIVIL ACTION  
:  
v. :  
:  
FRANCIS TENNIS, et al. : NO. 05-2805

ORDER

AND NOW, this        day of        , 2006, after careful and independent consideration of the petition for a writ of habeas corpus, the District Attorney's response to the petition and after review of the Report and Recommendation of Charles B. Smith, United States Magistrate Judge, it is hereby ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED;
2. The petition for a writ of habeas corpus is DENIED; and
3. A certificate of appealability is not granted.

BY THE COURT:

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JOHN R. PADOVA

J.